

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Mid-Rivers Telephone Fiber Optic Easements
Proposed Implementation Date:	Summer/Fall 2013
Proponent:	Mid-Rivers Telephone Cooperative, Inc.
Location:	Section 2, Township 7 North, Range 32 East (Yellowstone County) Section 36, Township 7 North, Range 29 East (Musselshell County) Section 36, Township 7 North, Range 30 East (Yellowstone County) Section 32, Township 8 North, Range 31 East (Musselshell County) Section 20, Township 8 North, Range 31 East (Musselshell County) *All parcels are Common Schools Trust
County:	Musselshell and Yellowstone Counties

I. TYPE AND PURPOSE OF ACTION

Mid-Rivers Telephone Cooperative is applying for 16' wide easements on five parcels of Trust land in Musselshell and Yellowstone Counties for the installation of underground fiber optic cable as described below:

- Section 2-T7N-R32E: The proposed 1.09 acre easement would run on the west/south side of a primitive two-track trail. There is also an existing 10' wide easement for buried telephone that was granted to Mid-Rivers in 1986. The new fiber optic is proposed to parallel the existing telephone line easement.
- Section 36-T7N-R29E: The 1.22 acre easement is proposed along the east side of Hawk Creek Road and runs parallel to an existing 10' telephone easement that Mid-Rivers obtained from the State in 1979.
- Section 36-T7N-R30E: The proposed 0.39 acre easement is in the SW¼SW¼ on the north side of Moore Road
- Section 20-T8N-R31E: The 2.31 acre easement proposes to generally follow an existing two-track road that winds through the E½ of the section. Along the northerly portion of the two-track, the easement also parallels an existing Mid-Rivers telephone easement that was granted in 1976 that provides service to an existing homesite lease on the Trust land.
- Section 32-T8N-R31E: The 0.17 acre easement is proposed to be located in the northwest corner of the NE¼NE¼ on the west side of an existing two-track trail.

The easements that have been applied for are a part of a larger project where Mid-Rivers is expanding fiber optic lines from their existing exchanges in Melstone and Musselshell. The areas impacted by this application are all south of US Highway 12 in Musselshell and northern Yellowstone Counties.

Prior to submitting easements to the DNRC, Mid-Rivers employed the consulting firm of Kadrmas, Lee & Jackson (KLJ) to perform NEPA review of the project for the Rural Utilities Service. The DNRC was scoped during the NEPA process and responded with comments related to the potential locations of the lines and the need for easements to cross the Trust land parcels.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

No formal public scoping was performed by DNRC for this proposed project. As noted above, Mid-Rivers performed scoping related to NEPA through their contractor, Kadrmas, Lee & Jackson in 2012. Settlement of Damages forms were obtained from the grazing lessees.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

None.

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Issue 16' wide easements to Mid-Rivers Telephone Cooperative for the underground installation of fiber optic cable on the five sections listed above in Musselshell and Yellowstone Counties.

No Action Alternative: Deny the request by Mid-Rivers Telephone Cooperative to issue 16' wide easements for fiber optic cable in Musselshell and Yellowstone Counties.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT
<ul style="list-style-type: none">• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i>• <i>Enter "NONE" If no impacts are identified or the resource is not present.</i>

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

The routes proposed in the easements generally parallel existing roads/two-track trails and/or telephone easements. The fiber optic cable is proposed to be installed using a tractor-crawler and friction-type plow blade that will create a soil disturbance approximately 36 inches deep and 6 inches wide. Based on the proposed action and relatively short disturbance time for cable installation, no significant adverse impacts to geology and soils are expected by implementing the proposed action.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

The only parcel where an easement is near or crosses any creek or stream is in Section 20-8N-31E. At this location the easement follows an existing two-track where it crosses an unnamed intermittent tributary of Alkali Creek and the cable will be bored under the watercourse at this location. No significant adverse impacts to water quality, quantity or distribution are anticipated by implementing the proposed action.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

There may be short-term isolated impacts from the equipment exhaust that is used to install the fiber optic cable. No significant adverse impacts to air quality are expected by implementing the proposed action.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The cable is proposed to be installed using a tractor-crawler and friction-type plow blade that will create a soil disturbance approximately 36 inches deep and 6 inches wide and then the ground will be compacted back after the cable is installed. The area disturbed by the trenching activity and from vehicle travel could have short term impacts on vegetation. No significant long term adverse impacts to vegetative cover, quantity or quality are expected as a result of implementing the proposed alternative.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

A variety of big game, small mammals, raptors, songbirds, and grouse may traverse the subject sections. The proposed project activities could temporarily disrupt wildlife movement and patterns. Due to the relatively short project duration and nature no significant adverse impacts to terrestrial, avian and aquatic life and habitats are expected to occur as a result of implementing the proposed alternative.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

A search of the Montana Natural Heritage Program database indicated the following:

Section 2-T7N-R32E: The only species of concern result for this parcel search was the Greater Sage-grouse. The section is over 4 miles from any FWP identified lek so the proposed activity is not expected to cause any significant disturbance.

Section 36-T7N-R29E: There were no species of concern identified on this section.

Section 36-T7N-R30E: There were no species of concern identified on this section.

Section 20-T8N-R31E: The only species of concern result for this section search was the Black-tailed Prairie Dog. There are three identified towns, one of which is ¾-mile east of the state section; the second is over a mile southeast of the section and the final one is over a mile southwest of the state land. The state land has 144 acres of dryland agriculture on it and the remaining portions of grazing land are rolling both of which make less desirable habitat for prairie dogs.

Section 32-T8N-R31E: The only species of concern result for this parcel search was the Black-tailed Prairie Dog. There are two identified towns, one of which is ¾-mile west of the state parcel while the other is a mile northeast of the parcel. The area proposed for the easement is a short segment in the far northwest corner of the parcel and is not particularly suitable for prairie dogs.

Due to the nature of the proposed action, the installation of underground fiber optic cable, it is not expected that this action will have any significant effect on any of the species identified on or around these five parcels. The surface disturbance will be temporary and generally adjacent to existing roads/two-track trails.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

Mid-Rivers contracted with Kadmas, Lee & Jackson (KLJ) to perform a cultural resource inventory of some parcels that the new lines cross. In 2012, KLJ identified areas that had higher potential for resources and performed field evaluations. There were some additional areas of study on Trust land, but there were no cultural resources identified on the Trust land parcels. Additionally, during the site visit on 29 April 2013 by SLO Land Use Specialist Gary Brandenburg and SLO Area Planner Jeff Bollman visual inspections were also performed and no cultural resources were noted. No significant adverse impact to historic or archaeological sites is expected as a result of implementing the proposed alternative.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

The proposed action would result in the installation of underground fiber optic cable adjacent to existing roads and two-track trails. Once the easement areas are rehabbed from the disturbance due to the installation, the only indication that there is an underground fiber optic line would be from any above-ground warning markers. Therefore, no significant adverse impact to aesthetics is expected as a result of implementing the proposed alternative.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No significant adverse impacts to environmental resources of land, water, air or energy would occur as a result of implementing the proposed alternative.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There are no other known studies or future government actions planned for these five Trust parcels.

IV. IMPACTS ON THE HUMAN POPULATION
<ul style="list-style-type: none">• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i>• <i>Enter "NONE" if no impacts are identified or the resource is not present.</i>

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

No significant adverse impacts to human health and safety would occur as a result of implementing the proposed alternative.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

The location of the easements does not traverse any crop lands, with the exception of approximately 2,300' of line that would run through some dryland hay ground in the NE¼ of Section 20-8N-31E. No significant adverse impacts to industrial, commercial and agricultural activities and production would occur as a result of implementing the proposed alternative.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed action will have no significant impact on the quantity and distribution of employment.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

The proposed action will have no adverse impact on tax revenue.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

The implementation of the proposed alternative will not generate any additional demands on governmental services.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

Implementation of the proposed alternative will not conflict with any locally adopted plans.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The only two parcels that currently have legal public access are Section 36-7N-29E (Hawk Creek Road) and Section 36-7N-30E (Moore Road). The remaining three parcels would only allow for use by recreationists that can obtain permission from an adjoining private landowner to cross their land to get to the Trust land. The installation is expected to occur in 2013 prior to the start of rifle hunting season but could occur during archery season. Impacts due to installation should be minimal, especially since most of the easements run parallel to an existing road or trail. The implementation of the proposed alternative is not expected to have an adverse impact on the ability of recreational use of these Trust lands.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

No significant adverse impacts to density and distribution of population and housing would occur as a result of implementing the proposed alternative.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposed alternative.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

The proposed alternative will not have a significant adverse impact on cultural uniqueness or diversity.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The State benefited by getting a one-time fee of \$3,480 from Mid-Rivers Telephone Cooperative for the purchase of the easements on these five Trust parcels. The Common Schools Trust will be the beneficiary of this payment.

EA Checklist Prepared By:	Name: Jeff Bollman, AICP	Date: 24 June 2013
	Title: Area Planner, Southern Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that permanent 16' easements be granted to Mid-Rivers Telephone Cooperative for the purpose of installing underground fiber optic cable on the following parcels:

- Section 2, Township 7 North, Range 32 East (Yellowstone County)
- Section 36, Township 7 North, Range 29 East (Musselshell County)
- Section 36, Township 7 North, Range 30 East (Yellowstone County)
- Section 32, Township 8 North, Range 31 East (Musselshell County)
- Section 20, Township 8 North, Range 31 East (Musselshell County)

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant adverse impacts to the Trust lands listed above are minimal due to the nature of the proposed action which would entail the issuing of the easements and installation of underground fiber optic cable. There are no natural features that could produce adverse impacts or species of concern occupying the parcels that are expected to be impacted by implementing the proposed action.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

☐ EIS
 ☐ More Detailed EA
 ☒ No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott
	Title: Area Manager, Southern Land Office
Signature: /s/ Matthew Wolcott	
Date: June 25, 2013	